

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

MICROSOFT CORPORATION, a Washington  
corporation,

Plaintiff,

v.

MOTOROLA, INC., MOTOROLA MOBILITY, INC.,  
and GENERAL INSTRUMENT CORPORATION,

Defendants.

NO. 2-10-cv-01823-JLR

NONPARTY SAMSUNG'S MOTION FOR  
CLARIFICATION OF ORDER GRANTING IN  
PART AND DENYING IN PART MOTIONS  
TO SEAL EXHIBITS

NOTE ON MOTION CALENDAR:  
November 14, 2012

Nonparty Samsung Electronics Co., Ltd. ("Samsung") moved to seal certain confidential documents that contain its confidential and highly sensitive business information. (Dkt. No. 555). Specifically, Samsung asked the Court to seal: (1) Cross-license agreement between Samsung and Motorola (Trial Exhibit 2769); (2) Motorola presentation materials to Samsung (Trial Exhibit 3163); (3) Interim License Agreement (Trial Exhibit 3191); (4) License Agreement between Samsung and Motorola (Trial Exhibit 3238); (5) Letter from Motorola to Samsung re Licensing (Trial Exhibit 3264); and (6) Motorola summary licensing chart (Trial Exhibit 3137).<sup>1</sup> This Court issued an Order granting in part and denying in part several motions to seal filed by the parties

<sup>1</sup> The Court's Order on which this Motion seeks clarification specifically addressed and granted Samsung's motion to seal trial Exhibit 2813.

1 and non-parties, including Samsung, ordering that the licensing agreements that are the  
2 subject of those motions be provisionally sealed. (Dkt. No. 567).

3 Because the Court's Order does not specifically list the non-party documents by  
4 trial exhibit number, or address the sealing of Samsung's confidential documents other  
5 than license agreements, Samsung orally moved this Court on November 13, 2012 to  
6 issue an order expressly sealing all of the above trial exhibits. This Court directed  
7 Samsung (and the other non-parties) to provide a list of trial exhibits to be sealed by  
8 November 14, 2012.<sup>2</sup> Pursuant to the Court's direction, Samsung respectfully requests  
9 that its licensing agreements and other confidential documents be specifically identified  
10 by trial exhibit number (Trial Exhibit ## 2769, 3163, 3191, 3238, 3264, and 3137) and  
11 provisionally sealed on the record to ensure that they are treated as such by the parties  
12 and the Clerk, consistent with the Court's Order of November 12, 2012.

13 DATED this 14th day of November, 2012.

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23  
24  
25 <sup>2</sup> Counsel for Samsung conferred by email with counsel for Motorola and Microsoft yesterday evening  
26 regarding a potential agreement to provisionally seal the Samsung documents that are the subject of this  
motion. Counsel for Motorola indicated they would be requesting provisional sealing of the Samsung  
documents, but in order to comply formally with the Court's November 13, 2012 direction, Samsung is  
filing this independent motion.

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Attorneys for Non-Party/Interested Party  
**SAMSUNG ELECTRONICS Co., LTD**

**CERTIFICATE OF SERVICE**

I certify that on this 14th day of November, 2012, the foregoing document was electronically filed with the Clerk of the U.S. District Court for the Western District of Washington using the CM/ECF system, which will send notification of such filing to all parties of record.

DATED this 14<sup>th</sup> day of November, 2012.

s/ Karen Lang Crane  
Karen Lang Crane, Legal Assistant  
GORDON THOMAS HONEYWELL LLP